

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA
AT CHARLESTON**

IN RE: ETHICON, INC., PELVIC REPAIR SYSTEM PRODUCTS LIABILITY LITIGATION	Master File No. 2:12-MD-02327 MDL 2327 JOSEPH R. GOODWIN U.S. DISTRICT JUDGE
THIS DOCUMENT RELATES TO: WAVE 1 CASES	

**MOTION TO EXCLUDE THE OPINIONS AND
TESTIMONY OF HOWARD JORDI, PH.D.**

Defendants Ethicon, Inc. and Johnson & Johnson (“Ethicon”) move to exclude the opinions and testimony of Howard Jordi, Ph.D. Dr. Jordi’s proposed opinion testimony is unreliable and irrelevant under the standard set forth in *Daubert v. Merrell Dow Pharm., Inc.*, 509 U.S. 579 (1993). Ethicon incorporates its Memorandum in Support of Motion to Exclude the Opinions and Testimony of Howard Jordi, Ph.D., and also the following exhibits:

1. List of cases to which this motion applies, attached as Exhibit A.
2. Excerpts from the *Lewis* Trial Transcript of February 12, 2014, attached as Exhibit B.
3. Excerpts from the Howard Jordi, M.D. Expert Report of February 1, 2016, attached as Exhibit C.
4. Excerpts from the *Batiste* Trial Transcript of March 21, 2014, attached as Exhibit D.
5. Excerpts from the *Bellew* Howard Jordi, M.D. Expert Report of July 7, 2014, attached as Exhibit E.
6. FDA Reclassification Letter, attached as Exhibit F.

7. 7-Year Dog Study, attached as Exhibit G.
8. Excerpts from the March 1, 2016 Expert Report of Dr. Steven MacLean, attached as Exhibit H.
9. Excerpts from the deposition of Howard Jordi, M.D. taken August 19, 2014, attached as Exhibit I.
10. Excerpts from the deposition of Vladimir Iakovlev, M.D. taken September 11, 2015, attached as Exhibit J.
11. Clave, et al., "Polypropylene as a reinforcement in pelvic surgery is not inert: comparative analysis of 100 explants," Int. Urogyn. J. & Pelvic Floor Dysfunction 21 (2010) 261-270, attached as Exhibit K.
12. Excerpts from the deposition of Howard Jordi, M.D. taken October 30, 2013, attached as Exhibit L.

WHEREFORE, FOR THESE REASONS and as more fully set forth in Ethicon's supporting memorandum of law, Ethicon respectfully requests that this Court enter an order granting Ethicon's Motion to Exclude the Opinions and Testimony of Howard Jordi, Ph.D.

Respectfully submitted,

ETHICON, INC. AND
JOHNSON & JOHNSON

/s/ David B. Thomas

David B. Thomas (W.Va. Bar #3731)
THOMAS COMBS & SPANN PLLC
300 Summers St.
Suite 1380 (25301)
P.O. Box 3824
Charleston, WV 25338
Telephone: 304.414.1807
dthomas@tcspllc.com

/s/ Christy D. Jones

Christy D. Jones
BUTLER SNOW LLP
1020 Highland Colony Parkway
Suite 1400 (39157)
P.O. Box 6010
Ridgeland, MS 39158-6010
Telephone: 601.985.4523
christy.jones@butlersnow.com

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA
AT CHARLESTON**

IN RE: ETHICON, INC., PELVIC REPAIR SYSTEM PRODUCTS LIABILITY LITIGATION	Master File No. 2:12-MD-02327 MDL 2327 JOSEPH R. GOODWIN U.S. DISTRICT JUDGE
THIS DOCUMENT RELATES TO: WAVE 1 CASES	

CERTIFICATE OF SERVICE

I certify that on April 20, 2016, I electronically filed this document with the clerk of the court using the CM/ECF system, which will send notification of this filing to CM/ECF participants registered to receive service in this MDL.

/s/ David B. Thomas

David B. Thomas (W.Va. Bar #3731)
THOMAS COMBS & SPANN PLLC
300 Summers St.
Suite 1380 (25301)
P.O. Box 3824
Charleston, WV 25338
Telephone: 304.414.1807
dthomas@tcspllc.com